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FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6750
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS
RUEHBY/AMEMBASSY CANBERRA 9691
RUEHPB/AMEMBASSY PORT MORESBY 3178
RUEHKO/AMEMBASSY TOKYO 9885
RUEHWL/AMEMBASSY WELLINGTON 0932
RHMMUNA/CDR USPACOM HONOLULU HI
RUEAWJB/DEPT OF JUSTICE WASHDC
RUCNFB/DIR FBI WASHDC
RHEHNSC/NSC WASHDC

UNCLAS JAKARTA 008383

SIPDIS

SENSITIVE

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FBI PLS PASS CTD/GAO - UC ED MONTOOTH
SECSTATE FOR EAP/MTS, DS/DSS, DS/IP/EAP, DS/EAP/ITA, AND
CA/OCS/ACS

E.O. 12958: N/A

TAGS: [PREL](#) [PGOV](#) [PHUM](#) [ASEC](#) [KJUS](#) [CASC](#) [ID](#)

SUBJECT: OPENING OF TIMIKA TRIAL DEFERRED UNTIL JULY 11

REF: JAKARTA 8114 (TRIAL OF TIMIKA SUSPECTS)

¶1. (SBU) The trial of Anthonious Wamang, Agustinus Anggaibak and five other co-conspirators in the 2002 murders of two Amcits in Timika, Papua did not begin in Central Jakarta District Court on July 4 as originally planned (reftel). The suspects accepted the advice of their legal counsel, a team of lawyers from the Indonesian Legal Aid and Human Rights Association (PBHI), to decline to appear. PBHI insists that the trial should be held in Timika. After a morning of waiting around the courtroom, the prosecution team prepared a letter advising Judge Nurdin of the situation. The judge then deferred the opening of the trial until Tuesday, July ¶11. If the defendants persist in refusing to appear at that time, the judge, in keeping with established legal practice in such situations, is expected to issue a summons for the suspects to be compelled to appear at a later date.

¶2. (SBU) The presence of journalists and a group of about 20 Papuan demonstrators at the courthouse on July 4 indicates that when the trial eventually does open, there will be significant media interest.

¶3. (SBU) Comment. We do not believe that PBHI will succeed in reversing the Supreme Court's decision to change the venue of the trial from Papua to Jakarta based on security grounds.

In Indonesia, there is both ample recent precedent and legal basis for such a decision. This is in effect a stalling tactic and a preview of PBHI's likely defense strategy of arguing that the prosecution is being driven by political considerations on the part of the central government. End comment.

PASCOE